

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL 98
PENSION FUND on behalf of itself and all
others similarly situated,

Plaintiff,

vs.

DELOITTE & TOUCHE, LLP;
DELOITTE LLP,

Defendants.

Case No. 3:19-cv-3304

**THIRD AMENDED CONSENT
SCHEDULING ORDER**

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this District, as well as the joint request of Lead Plaintiff International Brotherhood of Electrical Workers Local 98 Pension Fund (“Lead Plaintiff”) and Defendants Deloitte & Touche, LLP, and Deloitte LLP (collectively, “Defendants,” and together with Lead Plaintiff, the “Parties”), the Court hereby establishes the following third amended scheduling order for this case. This Scheduling Order is entered to administer the trial of this case in a manner consistent with the Federal Rules of Civil Procedure’s goal of securing “the just, speedy, and inexpensive determination of every action and proceeding.” Fed. R. Civ. P. 1.

1. **Fact Discovery:** Fact discovery shall be completed no later than **May 3, 2024**. Party document discovery—including Defendants’ production of any documents subject to the pending motion to compel that Defendants agree to produce—shall be completed no later than **October 31, 2023** (any documents subject to the motion to compel that the Court orders produced shall be produced by the later of October 31, 2023 or 28 days after the Court’s order). **No additional motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter as required by Local Civil Rule 7.02 (D.S.C.), and have had a telephone conference with Judge Coggins in an attempt to resolve the matter informally. The request for a telephone conference should be made within the time limit prescribed by local rule for filing such a motion. Attorneys should send a request for a telephone conference via e-mail to coggins_ecf@scd.uscourts.gov. The parties shall set forth their respective positions in their request.**

2. Expert Disclosures:

- a. Lead Plaintiff shall file and serve a document identifying by full name, address, and telephone number each person whom Lead Plaintiff expects to call as an expert at trial, and the topics on which that expert is expected to testify, by **April 19, 2024**.
- b. Defendants shall file and serve a document identifying by full name, address, and telephone number each person whom Defendants expect to call as an expert at trial, and the topics on which that expert is expected to testify, by **May 3, 2024**.

3. Expert Discovery

- a. Any Party filing an affirmative expert report shall file and serve a document certifying that a written report prepared and signed by any expert, including all information required by Federal Rule Civil Procedure 26(a)(2)(B) unless otherwise agreed to by the parties, has been served on the other party by **May 17, 2024**.
- b. Rebuttal expert reports shall be served on the other parties by no later than **July 1, 2024**.
- c. Expert discovery, including expert depositions, shall be completed by no later than **July 31, 2024**. Each expert shall be deposed only once even if that expert submits both an affirmative and rebuttal report.

4. Records Custodians: The Parties shall serve affidavits of records custodians that a party intends to offer for authentication in lieu of live testimony consistent with the timing in Local Civil Rule 16.02(D)(3).

5. Summary Judgment: Any party that seeks summary judgment shall file its motion and supporting papers on **August 28, 2024**. Opposition papers shall be filed by **September 25, 2024**. Reply papers shall be filed by **October 23, 2024**.

6. Pretrial Conference: Following the completion of briefing on any summary judgment motions, the Court shall hold a pretrial conference pursuant to Federal Rule of Civil Procedure 16(a), at which the schedule for jury selection and pretrial motions (including motions *in limine*) and other trial-related matters can be set.

IT IS SO ORDERED.

s/Donald C. Coggins, Jr.
United States District Judge

Spartanburg, South Carolina

September 20, 2023

Respectfully submitted this 6th day of September, 2023.

s/ Christopher A. Ogiba

Christopher A. Ogiba, Fed. ID No. 9042
Lesley A. Firestone, Fed. ID No. 11719
Tiffany Payne, Fed. ID No. 13772
MOORE & VAN ALLEN, PLLC
78 Wentworth Street
Charleston, South Carolina 29401
Telephone: 843-579-7066
Facsimile: 843-579-8749 Email:
Email: chrisogiba@mvalaw.com
lesleyfirestone@mvalaw.com
tiffanypayne@mvalaw.com

MOORE & VAN ALLEN, PLLC

Mark A. Nebrig
John A. Fagg, Jr.
Nader Raja
100 North Tryon Street Suite 4700
Charlotte, North Carolina 28202-4003
Telephone: 704-331-3602
Facsimile: 704-339-5974
Email: marknebrig@mvalaw.com
johnfagg@mvalaw.com
naderraja@mvalaw.com

MILBANK LLP

Scott A. Edelman
Jed M. Schwartz
Andrew B. Lichtenberg
55 Hudson Yards
New York, New York 10001-2163
Telephone: 212-530-5000
Facsimile: 212-530-5219 Email:
Email: sedelman@milbank.com
jschwartz@milbank.com
alichtenberg@milbank.com

*Attorneys for Defendants Deloitte & Touche,
LLP and Deloitte LLP*

/s/ William Tinkler

William Tinkler (D.S.C. Bar Number 11794)

TINKLER LAW FIRM LLC

P.O. Box 31813
Charleston, SC 29417
Telephone: (843) 853-5203
Facsimile: (843) 261-5647
Email: william@tinklerlaw.com

COHEN MILSTEIN SELLERS & TOLL PLLC

Laura H. Posner
88 Pine Street, 14th Floor
New York, New York 10005
Telephone: (212) 220-2925
Facsimile: (212) 838-7745
Email: lposner@cohenmilstein.com

Steve J. Toll

Jan Messerschmidt
1100 New York Avenue, N.W., Fifth Floor
Washington, D.C. 20005
Telephone: (202) 408-4600
Fax: (202) 408-4699

Email: stoll@cohenmilstein.com
jmesserschmidt@cohenmilstein.com

Attorneys for Lead Plaintiff and the Class

GORDON BALL PLLC

Gordon Ball
7001 Old Kent Drive
Suite 600
Knoxville, TN 37919
Telephone: (865) 525-7028
Facsimile: (865) 525-4679
Email: gball@gordonball.com

EDWARD D. SULLIVAN LAW OFFICE

Edward David Sullivan
PO Box 11714
Columbia, SC 29211
Telephone: (803) 451-2775
Facsimile: (803) 451-2770

Email: esullivan@esullivanlaw.com

DARYL G. HAWKINS LAW OFFICE

Daryl G. Hawkins
1331 Elmwood Avenue, Suite 305
Columbia, SC 29201
Telephone: (803) 733-3531
Facsimile: (803) 799-9202
Email: dgh@dghlaw.net

Additional Counsel for the Class